

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED-CLERK
U.S. DISTRICT COURT
2007 FEB 21 PM 3:08
TEXAS-EASTERN

PLA, LLC, individually and on behalf
of all others similarly situated

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§
§

V.

ADVANCED NEUROMODULATION
SYSTEMS, INC., et al.

BY _____

CASE NO. 4:05CV78
(Judge Schell/Judge Bush)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On February 1, 2007, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendations that the proposed settlement and plan of allocation be approved, that Plaintiffs' Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses be granted (Docket No. 78), and that Plaintiffs' counsel be awarded \$1,000,000.00 in attorneys' fees and \$73,384.00 in expenses.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

ORDERED, ADJUDGED and DECREED that the Report and Recommendation of United States Magistrate Judge Don D. Bush filed on February 1, 2007, is **ADOPTED** as the opinion of the Court. It is further

ORDERED that the proposed class action settlement in the above titled and numbered cause of action is **APPROVED**. It is finally

ORDERED that Plaintiffs' Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses is **GRANTED** and Plaintiffs' counsel are to be awarded \$1,000,000.00 in attorneys' fees and \$73,384.00 in expenses.

SIGNED this 20th day of February, 2007.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath it.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE